IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1133 of 2007()

CR.NO.117/06 OF MAVELIKARA EXCISE RANGE.

: PETITIONER/ACCUSED.

OMANAKUTTAN @ KUTTACHAN,
S/O.BHASKARAN, KARUVELIKIZHAKKATHIL,
ARUNNUTTIMANGALAM MURI, VETTIYAR VILLAGE,
MAVELIKKARA TALUK.

BY ADV. SRI.R.REJI
SMT.C.A.AJITHA SALAM

RESPONDENT: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
MAVELIKKARA EXCISE RANGE.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 1133 OF 2007

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DATED THIS THE 27th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in C.R.No.117/06 of Mavelikkara Excise Range for offences punishable under sections 8(1), 8(2) and 55 (a) of the Abkari Act for allegedly having been found in possession of 2 ½ litres of rectified spirit on 9.5.2006 and who allegedly made good his escape after abandoning the contraband spirit, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn